

CAUSE NO. 20-DCV-274827

ANA ROBLES DE MERINO

Plaintiff,

vs.

WALGREEN CO.,

Defendant.

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IN THE DISTRICT COURT

____ JUDICIAL DISTRICT

Fort Bend County - 400th Judicial District Court

FORT BEND COUNTY, TEXAS

**PLAINTIFF'S ORIGINAL PETITION
AND REQUEST FOR DISCLOSURE**

TO THE HONORABLE JUDGE OF THE COURT:

COMES NOW the Plaintiff, Ana Robles De Merino, and for her causes of action against the Defendant, Walgreen Co., files this Original Petition and Request for Disclosure. In support, Plaintiff would respectfully show the Court the following:

**I.
DISCOVERY CONTROL PLAN**

1. Plaintiff intends and proposes to conduct discovery under Level 3.

**II.
PARTIES AND SERVICE**

2. Plaintiff, Ana Robles De Merino, is an individual residing in, Texas.
3. Defendant Walgreen Co. is an Illinois company who may be served with process by serving its registered agent for service of process, Prentice Hall Corporation System, 211 E. 7th Street, Suite 620, Austin TX 78701. Plaintiff requests citation and will serve Defendant through a private process server.

III.
JURISDICTION AND VENUE

4. This Court has jurisdiction over the parties and the subject matter of this action. Plaintiff seeks damages within the jurisdictional limits of the Court.

5. Plaintiff seeks monetary relief over \$200,000 but less than \$1,000,000.

6. Venue is proper in Fort Bend County pursuant to Texas Civil Practice and Remedies Code §15.002(a)(1) because all or a substantial part of the events or omissions giving rise to the claim occurred in Fort Bend County.

IV.
FACTS

7. On or about October 13, 2018, Plaintiff was seriously injured when she slipped on a puddle of water and fell inside a Walgreen's store located at 3316 Avenue H, Rosenberg, Texas.

V.
CAUSES OF ACTION

Count One – Premises Liability

8. At all times relevant, Defendant was the owner and/or possessor and/or operator of the Walgreen's store in Rosenberg, Texas that is the subject of this lawsuit.

9. At all times relevant, Plaintiff was an invitee of the Walgreen's store that is the subject of this lawsuit.

10. Defendant, its agents and its employees knew or should have known of the unreasonably dangerous condition posed by having puddles of water near high-traffic areas.

11. At all times relevant, Defendant and its agents, servants, and employees who were acting in the scope of their employment, were guilty of negligent conduct toward Plaintiff in:

- a. Failing to maintain the premises in reasonably safe condition; and
- b. Failing to adequately warn of the unsafe condition of the premises.

**VI.
DAMAGES**

12. As a direct and proximate result of the conduct of Defendant, Plaintiff suffered bodily injuries and other economic and noneconomic damages.

13. Plaintiff prays that a jury award Plaintiff for the following damages, proximately caused by Defendant's negligence:

- a. Past and future physical pain;
- b. Past and future mental anguish;
- c. Past and future physical impairment;
- d. Past and future medical expenses;
- e. Pre-judgment and post-judgment interest; and
- f. Taxable court costs.

**VII.
CONDITIONS PRECEDENT**

14. All conditions precedent have been performed, waived, or have occurred.

**VIII.
REQUEST FOR DISCLOSURE**

15. Pursuant to Rule 194 of the Texas Rules of Civil Procedure, Plaintiff hereby requests that Defendant disclose the information or material described in Rule 194.2 within fifty (50) days of the service of Original Petition.

**IX.
JURY DEMAND**

16. Plaintiff requests a jury trial and hereby tenders the appropriate jury fee.

X.
PRAYER

Plaintiff respectfully prays that Defendant be cited to appear and answer this Original Petition, and upon presentation of this case to a jury, that Plaintiff recover a judgment against Defendant for all general and special damages requested, costs of suit, pre and post-judgment interest, and for all other relief, at law and in equity, to which Plaintiff may be justly entitled.

Respectfully submitted,

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